

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SEAN GALLAGHER, PIAGET VENTUS,
NICOLE ASCENSIO, IANOS ORTEGA,
individually on behalf of all similarly situated
individuals,

Plaintiffs,

v.

NATIONAL RESTAURANT ASSOCIATION
SOLUTIONS, LLC; NATIONAL RESTAURANT
ASSOCIATION D/B/A SERVSAFE, and any other
related entities and individuals

Defendants.

No. 1:23-cv-00435 (LGS)

JOINT STATUS REPORT

Pursuant to this Court’s May 15, 2023 Order (Dkt. No. 24), Plaintiffs Sean Gallagher, Piaget Ventus, Nicole Ascensio and Ianos Ortega, individually and on behalf of all others similarly situated (“Plaintiffs”) and Defendants National Restaurant Association Solutions, LLC and National Restaurant Association d/b/a Servsafe (“Defendants”) jointly submit this status report and state as follows:

The procedural history and background of this matter is summarized in the parties’ March 29, 2023, Rule 26(f) report to the Court (Dkt. No. 14).

With respect to mediation, as noted in the parties May 24, 2023, Joint Status Report (Dkt. No. 25), the parties have engaged JAMS mediator Hon. Morton Denlow (Ret.) for a full-day mediation session on Aug. 15, 2023.

On June 14, 2023, the parties met with Judge Denlow for a pre-mediation conference call. The parties agreed to the mediation procedure outlined by Judge Denlow. The parties also

agreed to continue to negotiate and informally exchange information as needed prior to the mediation. The parties will also complete Judge Denlow's pre-mediation checklist and submit the same to Judge Denlow on or before July 21, 2023.

The parties' second joint status report will be filed on or before July 26, 2023.

Dated: June 23, 2023

Respectfully submitted,

/s/ Michael A Tompkins
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Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2023, a copy of the foregoing JOINT STATUS REPORT was filed with the Court's ECF system and served on counsel for all parties of record.

/s/ Lewis S. Wiener
Lewis S. Wiener